

Readopt with amendment Env-Wq 1306.01, eff. 9-5-06 (doc. #8703-A), to read as follows:

Env-Wq 1306.01 Eligibility for Maintenance Project Grant. The following criteria shall be met in order to be eligible for a grant under RSA 487:21, III for a maintenance project:

- (a) The subject water body shall:
 - (1) Be a surface water of the state; ***and***
 - ~~(2) Have at least one public access or public boat access; and~~
 - ~~(32)~~ Be infested with an exotic aquatic weed listed in Env-Wq 1303.02; and
- (b) The proposed maintenance project shall incorporate integrated pest management (IPM) strategies.

Amend Env-Wq 1306.04(a), eff. 9-5-06 (doc. #8703-A), to read as follows:

- (a) Based on the type of infestation in the surface water, points shall be assigned as follows:
 - ~~(1) Rivers and streams shall receive 0 points;~~
 - ~~(21)~~ Lakes and ponds with ***A surface water having one or more*** widespread and well-established infestations shall receive one point;
 - ~~(32)~~ Lakes and ponds with ***A surface water having one or more*** established infestations that are showing signs of spreading to uninfested portions of the waterbody shall receive 2 points; ~~and~~
 - ~~(43)~~ Lakes and ponds with ***A surface water having one or more*** infestations that have remained small or localized shall receive 3 points; and
 - ~~(54)~~ The score for this category shall be multiplied by a weighting factor of 4;

Readopt with amendment Env-Wq 1307.01, eff. 9-5-06 (doc. #8703-A), to read as follows:

Env-Wq 1307.01 Eligibility for Diagnostic and Feasibility Studies. To be eligible for participation in the diagnostic and feasibility study program established under RSA 487:21, I, the subject water body shall:

~~(a) Be~~ a surface water of the state; ***and be:***

- ~~(b) Have at least one public access or public boat access area;~~
- ~~(c) Be:~~

~~(1a)~~ Listed as impaired on the current or draft list prepared pursuant to ~~section~~ §303(d) of the federal Clean Water Act as specified in 40 CFR 130.7;

~~(2b)~~ Identified as being at risk of being impaired in documented Volunteer Lake Assessment Program (VLAP) data demonstrating a statistically-significant decline in water quality; or

~~(3c)~~ Experiencing change(s) within its boundaries or within its watershed that are deemed a significant risk to the water quality and designated water uses by the department pursuant to section 305(b) of the federal Clean Water Act as specified in 40 CFR 130.8;

Appendix

| Rule | State Statute(s) Implemented |
|-------------------|---------------------------------------------------|
| Env-Wq 1306.01 | RSA 487:17, I(c), II, & III; RSA 487:18, :20, :21 |
| Env-Wq 1306.04(a) | RSA 487:17, :18 |
| Env-Wq 1307.01 | RSA 487:17, I(c), II, & III; RSA 487:18, :20, :21 |